IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 24555 of 2005

Between:

T.A.V.V.L. Narasimha Murthy

..... PETITIONER

AND

The District Supply Officer,

West Godavari District, Eluru and 3 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the impugned order in Roc.No.CSI.55/Appeal/2005, dated 07.11.2005 passed by the 2nd respondent, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

It is the case of the petitioner that he is the fair price dealer of shop No.35 of Veerampalem village, Tadepalligudem Mandal, West Godavari District and he has been discharging his duties as fair price shop dealer by strictly following the relevant conditions attached to the dealership and control orders. While so, the license of the petitioner was suspended pending enquiry by order dated 11.10.2005 on certain irregularities, and simultaneously a show cause notice was also issued to him, for which, the petitioner submitted his explanation. Aggrieved by the suspension order pending enquiry, the petitioner filed an appeal before the 2nd respondent, but the appellate authority called for records from the 3rd respondent while dismissing the stay application filed by the petitioner through the impugned order. There are as many as 5 charges have been framed against the petitioner and they are yet to be considered.

Having regard to the facts and circumstances, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition with a direction to the 2nd respondent to dispose of the appeal itself as expeditiously as possible, preferably within a period of 3 (three) weeks from the date of receipt of a copy of this order. The 3rd respondent, who is the authorized officer to pass final orders, is also directed to consider the explanation of the petitioner and complete the enquiry and pass final orders, after giving reasonable opportunity to the petitioner, within a period of 6 (six weeks) from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH.J

Dated: 17.11.2005

Dsr